

From: (b) (6)
To: "Barney, Steven (Armed Services)"
Cc: Clark, Samantha (Armed Services); Leeling, Gary (Armed Services); Clark, Jonathan (Armed Services); (b) (6); (b) (6); (b) (6)
Subject: RE: BUDS Drowning (May 2016)
Date: Thursday, July 07, 2016 9:35:00

Steve: What's next is to complete the NCIS investigation (which remains open and active), assess the evidence, and then take disciplinary and/or administrative action as appropriate. I'm told the investigation may take another several weeks or more.

V/r (b) (6)

(b) (6)
(b) (6)
Navy Office of Legislative Affairs
(b) (6)
(b) (6)

-----Original Message-----

From: Barney, Steven (Armed Services) [[mailto:\(b\) \(6\)](#)]
Sent: Thursday, July 07, 2016 8:25 AM
To: (b) (6)
Cc: Clark, Samantha (Armed Services); Leeling, Gary (Armed Services); Clark, Jonathan (Armed Services); (b) (6); (b) (6); (b) (6); (b) (6)
Subject: [Non-DoD Source] RE: BUDS Drowning (May 2016)

Saw the news coverage. What's next for Navy on this?

-----Original Message-----

From: (b) (6) [[mailto:\(b\) \(6\)](#)]
Sent: Tuesday, July 05, 2016 2:25 PM
To: Barney, Steven (Armed Services) <(b) (6)>
Cc: Clark, Samantha (Armed Services) <(b) (6)>; Leeling, Gary (Armed Services) <(b) (6)>; Clark, Jonathan (Armed Services) <(b) (6)>; (b) (6) <(b) (6)>; (b) (6) <(b) (6)>; (b) (6) <(b) (6)>; (b) (6) <(b) (6)>; (b) (6) <(b) (6)>; (b) (6) <(b) (6)>
Subject: RE: BUDS Drowning (May 2016)

Steve:

We'll see how the medical examiner explains it if he does indeed categorize the manner of death as a homicide. Safe to say such a characterization is a causal determination and not one necessarily based on criminal intent or the legal elements of homicide generically. NCIS is still investigating exactly what happened.

V/r (b) (6)

(b) (6)
(b) (6)
Navy Office of Legislative Affairs
(b) (6)
(b) (6)

-----Original Message-----

From: Barney, Steven (Armed Services) [[mailto:\(b\) \(6\)](#)]

Sent: Tuesday, July 05, 2016 10:53 AM

To: (b) (6)

Cc: Clark, Samantha (Armed Services); Leeling, Gary (Armed Services); Clark, Jonathan (Armed Services); (b) (6)

(b) (6); (b) (6); (b) (6)

Subject: [Non-DoD Source] Re: BUDS Drowning (May 2016)

Homicidal suggests there was someone other than the decedent directly responsible for the death. What's that about?

Steven M. Barney
General Counsel
Committee on Armed Services
United States Senate
(b) (6)

Sent from my iPhone

> On Jul 5, 2016, at 10:49 AM, (b) (6) <(b) (6)> wrote:

>

> All:

>

> As you may recall hearing or reading back in May, SN James Lovelace lost his life during a basic underwater demolition/SEAL (BUDS) supervised training evolution on May 6, 2016. Navy received information that the San Diego Medical Examiner may soon make a manner of death finding as "homicide drowning". This is not official and it could change. There are 5 manner of death characterizations: Natural, Accidental, Suicide, Homicide, and Undetermined. I'm unsure how these categories are defined, but will try to find out (may be governed by CA statute). Media have already requested copies of the death certificate.

>

> The drowning fatality remains the subject on an open and ongoing NCIS investigation so I do not have much more to report at present.

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> V/r (b) (6)

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> (b) (6)

> (b) (6)

> Navy Office of Legislative Affairs

> (b) (6)

> (b) (6)

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